

# MEMO ENDORSED

## DICKSTEINSHAPIRO LLP

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May 30, 2008

BY FACSIMILE TO 212.805.7949

The Honorable P. Kevin Castel  
United States District Judge  
United States Courthouse  
500 Pearl Street, Room 2260  
New York, New York 10007

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Re: SEC v. Colonial Investment Management LLC, et. al., 07 cv 8849 (PKC)

Dear Judge Castel:

We represent Defendants Colonial Investment Management LLC, Colonial Fund LLC, and Cary G. Brody ("Defendants") in the above captioned matter. We respectfully submit this letter pursuant to a telephone conversation with Your Honor's Chambers this morning, advising Defense counsel to propose a date certain by which to file and serve its Answer to Plaintiff's amended complaint, which was filed on November 13, 2007 ("Amended Complaint").

On May 22, 2008, Your Honor issued a Memorandum and Order denying Defendants motion to dismiss pursuant to rule 12(b)(6) of the Federal Rules of Civil Procedure. Accordingly, Defendants respectfully propose June 11, 2008 as the date by which Defendants' Answer to the Amended Complaint shall be filed and served. *OK*

Respectfully submitted,

*Ira Lee Sorkin / BMD*

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cc: Valerie A. Szczepanik, Esq. (by facsimile)

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*Application granted*

SO ORDERED.



P. Kevin Castel  
United States District Judge

Dated: New York, New York  
May 30, 2008